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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/074,842	02/13/2002	Lawrence R. Levin	10,143	6364

7590 10/03/2005

John C. McMahon
PO Box 30069
Kansas City, MO 64112

EXAMINER

KHOMASSI, NIMA

ART UNIT	PAPER NUMBER
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2132

DATE MAILED: 10/03/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/074,842

Applicant(s)

LEVIN, LAWRENCE R.

Examiner

Nima Khomassi

Art Unit

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 13 February 2002.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-29 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-29 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 13 February 2002 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|----------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| Paper No(s)/Mail Date <u>2/13/2002</u> . | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

1. The application having Application No. 10,074,842 has a total of 29 claims pending in the application; there are 5 independent claims and 24 dependent claims, all of which are ready for examination by the examiner. Claims 1-29 have been examined.

Claim Rejections - 35 USC § 103

2. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.
3. Claim 1-29 is rejected under 35 U.S.C. 103(a) as being unpatentable over Smithson et al., U.S. Patent No. 6,898,715, filed Sep. 12, 2000 (herein referred to as Reference A) in view of Edwards, How to Detect Certain Virus and Worms, published May 16, 2000
<http://www.windowsitpro.com/articles/print.cfm?articleid=9523> (herein referred to as Reference B).
4. As per claim 1, Reference A discloses a method of virus control for a plurality of clients of an e-mail server, said e-mail server associated with a network, said method comprising: centrally monitoring for a pre-defined activity at any of said plurality of clients (Reference A, pg. 5, lines 1-5 & 8-10; Smithson embodiment of the centralized e-mail server applies to the limitations disclosed in the application); on discovery of said pre-defined activity at a given one of said

plurality of clients, blocking e-mail traffic from said given client (Reference A, fig. 5, legend & step 7-8). Reference A does not disclose said pre-defined activity comprising receiving an e-mail message from said given client having a pre-defined recipient address. However Reference B discloses a dummy user in the address book to help detect future viruses by creating a fictitious user with a bogus email address, a user can make the e-mail service generate an onscreen error message about that bad address anytime it's used to send email, including when used by a virus or worm (Reference B, para. 2). At the time of the invention it would have been obvious to one of ordinary skill in the computer art to create fictitious user e-mail account of Reference B as an additional defined rule of Reference A. The motivation for doing so would have been to further enhance the rule set of Reference A in order to better detect computer viruses and worms.

5. As per claim 2, the method of claim 1 wherein said pre-defined recipient address addresses a fictitious recipient (Reference B, para. 2).
6. As per claim 3, the method of claim 1 logging e-mail messages sent by said plurality of clients in a message log (Reference A, fig. 1, step 18; mail servers log e-mail messages), given client, searching said message log for other e-mail messages sent by said given client (Reference B, para. 2; pg. 2, line 53-57; on-demand scan of the infected host).
7. As per claim 4, the method of claim 3 further comprising: on finding one or more of said other e-mail messages, identifying recipient addresses in said one or

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more other e-mail messages and sending a virus alert e-mail message to each identified recipient address (Reference A, pg. 10, line 9).

8. As per claim 5, the method of claim 1 wherein said blocking e-mail traffic from said given client comprises dropping e-mail from said given client (Reference A, pg. 10, lines 17-19).
9. As per claim 6, the method of claim 1 wherein said centrally monitoring comprises monitoring at an e-mail server (Reference A, pg. 5, lines 1-5 & 8-10).
10. As per claim 7, the method of claim 1 further comprising, on discovery of said pre-defined recipient address in said e-mail message from said given client, sending a virus alert message to said given client (Reference A, pg. 10, line 9).
11. As per claim 8, 27 and 29, Reference A discloses the method, processor, and computer readable medium of virus control at a server side for a plurality of clients, said server side handling e-mail traffic to and from a network, comprising: receiving an e-mail message at said server side from a given client of said plurality of clients (Reference A, fig. 1, step 18); Reference A does not explicitly disclose checking a recipient address of said e-mail message for a pre-defined recipient address and on discovery of said pre-defined recipient address, blocking e-mail traffic from said given client. However, Reference B discloses checking a recipient address of said e-mail message for a pre-defined recipient address (Reference B, para. 2; Reference A, fig. 5, legend & step 7-8); on discovery of said pre-defined recipient address, blocking e-mail traffic from said given client (Reference B, para. 2; Reference A, fig. 5, legend & step 7-8). At the

time of the invention it would have been obvious to one of ordinary skill in the computer art to take the fictitious e-mail address of Reference B and block the e-mail traffic using the rules of Reference A. The motivation for doing so would have been to further enhance the rule set of Reference A in order to better detect computer viruses and worms.

12. As per claim 9, the method of claim 8 farther comprising: logging e-mail messages sent by said plurality of clients in a message log (Reference A, fig. 1, step 18); on said discovery of said pre-defined recipient address in said e-mail message from said given client, searching said message log for other e-mail messages sent by said given client (Reference A, pg. 10, line 16; pg. 2, line 53-57).
13. As per claim 10, the method of claim 9 wherein said searching comprises searching for messages sent by said given client within a pre-determined time of a time of sending of said e-mail message (Reference A, pg. 10, line 16; pg. 2, line 26-31; timing of message can be set).
14. As per claim 11, the method of claim 9 further comprising: on finding one or more of said other e-mail messages, identifying recipient addresses in said one or more other e-mail messages and sending a virus alert e-mail message to each identified recipient address (Reference A, pg. 10, line 9; recipients can be notified via e-mail).
15. As per claim 12, the method of claim 9 further comprising: on finding one or more of said other e-mail messages, identifying each recipient address and, where an

identified recipient address is for one of said plurality of clients, blocking all e-mail traffic from said one of said plurality of clients (Reference A, fig. 5, legend & step 7-8).

16. As per claim 13, the method of claim 11 wherein said searching comprises searching for messages sent by said given client within a pre-determined time of a time of sending said e-mail message (Reference A, pg. 10, line 16; pg. 2, line 26-31).

17. As per claim 14, the method of claim 11 wherein said searching comprises searching in reverse time order from a time of sending of said e-mail message for a pre-determined number of messages sent by said given client (Reference A, pg. 10, line 16; pg. 2, line 53-57).

18. As per claim 15, the method of claim 8 wherein said checking comprises checking said recipient address of said e-mail message against a list of recipient addresses (Reference A, fig. 5, legend & step 7-8; Reference B, para. 2).

19. As per claim 16, the method of claim 8 wherein said blocking e-mail traffic from said given client comprises dropping e-mail traffic received from said given client (Reference A, fig. 5, legend & step 7-8).

20. As per claim 17, the method of claim 9 wherein said logging e-mail messages comprises logging sending and receiving addresses from said e-mail messages along with times of sending (Reference A, fig. 1, step 18).

21. As per claim 18, the method of claim 8 further comprising: on discovery of said pre-defined recipient address, sending an alarm notification (Reference A, pg. 10, line 9; Smithson teaches notifications via e-mail, pager and network broadcast).
22. As per claim 19, the method of claim 15 wherein said list of recipient addresses comprises addresses beginning with at least a majority of letters of the alphabet (fig. 5, legend & step 7-8).
23. As per claim 20, Reference A discloses a method for facilitating virus control, comprising: plurality of clients of an e-mail server, which data normally contains e-mail addresses (Reference A, fig. 1, step 18). Reference A does not explicitly disclose salting stored data with a plurality of fictitious e-mail addresses, each of said addresses having a valid format (Reference B, para. 2). However, Reference B discloses salting stored data with a plurality of fictitious e-mail addresses, each of said addresses having a valid format (Reference B, para. 2). At the time of the invention it would have been obvious to one of ordinary skill in the computer art to take the fictitious e-mail address scheme of Reference B and apply it as an additional rule set for Reference A. The motivation for doing so would have been to further enhance the rule set of Reference A in order to better detect computer viruses and worms.
24. As per claim 21, the method of claim 20 wherein said stored data comprises at least one of an address book of an e-mail application, a message store of an e-mail application, and a web page (Reference B, para. 2; the e-mail that is

described in Reference B can be accessed via any of the three methods described in this claim).

25. As per claim 22, the method of claim 20 further comprising choosing said fictitious e-mail addresses such that for each letter of a majority of letters of the alphabet there is a fictitious e-mail address beginning with said letter (Reference B, para. 2).
26. As per claim 23, the method of claim 20 further comprising: storing said plurality of fictitious e-mail addresses for each of said plurality of clients at said e-mail server (Reference B, para. 2).
27. As per claim 24, the method of claim 20 further comprising: on receiving, at said e-mail server, an e-mail message from a given client addressed to one of said plurality of fictitious addresses, blocking all e-mail traffic from said given client (Reference A, fig. 5, legend & step 7-8; Reference B, para. 2).
28. As per claim 25, the method of claim 24 wherein said e-mail server is a simple mail transfer protocol server (Reference A, fig. 5, legend & step 7-8; Reference B, para. 2; the mail server described uses SMTP).
29. As per claim 26, the method of claim 24 wherein said blocking all e-mail traffic from said given client comprises at least one of blocking e-mail traffic having a source address pointing to said given client and blocking e-mail traffic having a network address most recently associated with said given client (Reference A, fig. 5, legend & step 7-8; Reference B, para. 2).

30. As per claim 28, the processor of claim 27 further comprising a hit list for storing said plurality of pre-defined addresses (Reference B, para. 2; Reference A, fig. 5, step 7 & 8).

Conclusion

31. Any inquiry concerning this communication or earlier communications should be directed to Nima Khomassi whose telephone number is (571) 272-3775. The examiner can normally be reached Monday-Friday from 8:30 AM to 5:00 PM.

32. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Gilberto Barron Jr., can be reached at (571) 272-3799.

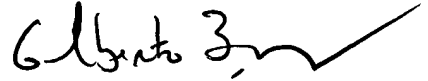
33. The fax number for Formal or Official faxes to Technology Center 2100 is 571-273-8300. On July 15, 2005, the Central Facsimile (FAX) Number changed from 703-872-9306 to 571-273-8300. As of September 15, 2005, the old number is no longer in service and 571-273-8300 is the only facsimile number recognized for centralized delivery.

34. Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have any questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

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A handwritten signature in black ink, appearing to be 'Nima Khomassi', written in a cursive style.

Nima Khomassi
September 28, 2005
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A handwritten signature in black ink, appearing to be 'Gilberto Barron', written in a cursive style.

GILBERTO BARRON SA
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2100